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Human Rights Council
Twenty-sixth session
Agenda item 4
Human rights situations that require the Council's attention

Resolution adopted by the Human Rights Council

26/23 The continuing grave deterioration in the human rights and humanitarian situation in the Syrian Arab Republic

The Human Rights Council,

Guided by the Charter of the United Nations,

Reaffirming all previous Human Rights Council resolutions on the Syrian Arab Republic,

Reaffirming also its strong commitment to the sovereignty, independence, unity and territorial integrity of the Syrian Arab Republic,

Condemning the grave deterioration of the human rights situation and the indiscriminate killing and deliberate targeting of civilians as such, in violation of international humanitarian law, and acts of violence that may foment sectarian tensions,

Expressing its deepest concern about the findings of the independent international commission of inquiry and also the allegations contained in the evidence presented by "Caesar" in January 2014 regarding the torture and execution of persons incarcerated by the current Syrian regime, and underscoring the need for those allegations and similar evidence to be collected, examined and made available for future accountability efforts,

Strongly condemning the lack of cooperation by the Syrian authorities with the commission of inquiry,

Expressing its appreciation for the efforts of the Joint Special Representative of the United Nations and the League of Arab States, and expressing its deep regret at the failure to date to reach a political solution,

Welcoming Security Council resolution 2139 (2014) of 22 February 2014, expressing grave concern at its lack of implementation, and noting its demand for rapid, safe and unhindered humanitarian access and of the need to end impunity for violations of international humanitarian law and violations and abuses of human rights,

Recalling the statements made by the United Nations High Commissioner for Human Rights and by the special procedures of the Human Rights Council that crimes

against humanity and war crimes are likely to have been committed in the Syrian Arab Republic, and noting the repeated encouragement by the High Commissioner to the Security Council to refer the situation to the International Criminal Court,

Welcoming the efforts of the United Nations Entity for Gender Equality and the Empowerment of Women and Syrian civil society to find a peaceful, inclusive and long-term solution to the conflict,

1. *Welcomes* the reports of the independent international commission on inquiry on the Syrian Arab Republic, and notes the importance of the work of the commission of inquiry and the information it has collected in support of future accountability efforts, in particular, information on alleged perpetrators violating international law;

2. *Demands* that the Syrian authorities cooperate fully with the commission of inquiry, including by granting it immediate, full and unfettered access throughout the Syrian Arab Republic;

3. *Urges* all parties to the conflict to prevent violations of international humanitarian law and human rights violations and abuses;

4. *Expresses grave concern* that thousands of detainees, both Syrian and non-Syrian nationals, may have died in government prisons as a result of starvation and torture, and condemns those responsible for such horrific acts;

5. *Strongly condemns* all incidences of enforced disappearance by the Syrian regime, of both Syrian and non-Syrian nationals, calls upon the Syrian regime to investigate all such cases, and also condemns all incidences of abduction committed by armed groups;

6. *Also strongly condemns* the use by the Syrian authorities of starvation of civilians as a method of combat, and further condemns the besiegement of civilians;

7. *Further strongly condemns* all violations and abuses committed against journalists and media activists from any quarter, and recognizes the role of journalists in documenting protests and human rights violations and abuses in the Syrian Arab Republic;

8. *Strongly condemns* all violations and abuses committed against the civilian population, in particular women and children, and demands that all parties comply with their obligations under international law;

9. *Demands* that all groups in the Syrian Arab Republic refrain from retaliation and violence, including sexual violence and torture;

10. *Also demands* that all parties demilitarize medical facilities, schools and other civilian facilities, avoid establishing military positions in populated areas and desist from attacks directed against civilian objects;

11. *Further demands* the release of all persons arbitrarily detained, including children, and calls upon the Syrian authorities to publish a list of all detention facilities, to ensure that conditions of detention comply with applicable international law and immediately to allow access by independent monitors to all detention facilities;

12. *Condemns* the continued gross, systematic and widespread violations of human rights and all violations of international humanitarian law by the Syrian authorities and affiliated militias, including those involving aerial bombardment of civilian areas, in particular the indiscriminate use of barrel bombs, ballistic missiles, chlorine gas and cluster bombs, and other actions that may amount to war crimes or crimes against humanity;

13. *Strongly condemns* the use of chemical weapons and all indiscriminate methods of warfare in the Syrian Arab Republic, which is prohibited under international law, amounts to a serious crime and has a devastating impact on civilians, and in this regard

calls upon the Syrian authorities to accelerate the complete and irreversible elimination of their chemical weapons programme, of which several important elements remain, in accordance with their obligations under the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction and the time frames and requirements set forth in Security Council resolution 2118 (2013) of 27 September 2013, and the decisions of the Executive Council of the Organization for the Prohibition of Chemical Weapons;

14. *Expresses deep concern* at the recent allegations of the use of toxic chemicals in the Syrian Arab Republic, supports the fact-finding mission of the Organization for the Prohibition of Chemical Weapons to investigate these allegations, strongly condemns the recent attack against inspectors of the Organization, and demands that safe and unfettered access for the said mission be ensured throughout the Syrian Arab Republic;

15. *Demands* that the Syrian authorities meet their responsibility to protect the Syrian population;

16. *Notes* the reporting of the commission of inquiry, including on the amount and type of crimes committed, in which it assesses that crimes against humanity and war crimes have been, and continue to be, committed in the territory of the Syrian Arab Republic;

17. *Also notes* that the International Criminal Court was established to help end impunity for such crimes where the State is unwilling or unable to genuinely carry out investigations or prosecutions;

18. *Emphasizes* the need to ensure that all those responsible for violations of international humanitarian law or violations and abuses of human rights law are held to account, through appropriate fair and independent domestic or international criminal justice mechanisms, and stresses the need to pursue practical steps towards this goal, noting the important role that the International Criminal Court can play in this regard;

19. *Reaffirms* that, in the context of an inclusive and credible dialogue, the Syrian people should determine the appropriate process and mechanisms to achieve justice, reconciliation, truth and accountability for gross violations and abuses of international law, as well as reparations and effective remedies for victims;

20. *Expresses grave concern* at the spread of extremism and extremist groups, and strongly condemns all human rights abuses and violations of international humanitarian law in the Syrian Arab Republic;

21. *Condemns* all violence, irrespective of where it comes from, and calls upon all parties to immediately put an end to all forms of violence, including terrorist acts and acts of violence or intimidation that may foment sectarian tensions, and to comply strictly with their obligations under international law, including international humanitarian law;

22. *Strongly condemns* all violence against persons based on their religious or ethnic affiliation, and calls upon all parties to fully respect international law;

23. *Expresses its deep regret* that international efforts to find a political solution to the Syrian crisis have not so far succeeded and condemns those parties who have undermined such efforts;

24. *Reaffirms its commitment* to international efforts to find a political solution to the Syrian crisis that meets the legitimate aspirations of the Syrian people for a civil, democratic and pluralistic State, where all citizens are equal, regardless of gender, religion and ethnicity, and emphasizes that the decision to hold presidential elections on 3 June 2014, in the midst of this crisis, undermined the Geneva communiqué, which calls for a

transitional governing body with full executive powers to be agreed by mutual consent, in order to achieve a peaceful settlement;

25. *Urges* those countries with influence over the Syrian parties to take all measures to encourage the parties to the conflict to negotiate constructively and on the basis of the call made in the Geneva communiqué for the formation of a transitional governing body;

26. *Calls upon* the international community to support the leadership and full participation of women in political talks as envisaged by the Security Council in its resolutions 1325 (2000) of 31 October 2000 and 2122 (2013) of 18 October 2013, and welcomes the work of the United Nations Entity for Gender Equality and the Empowerment of Women and its partners in this regard;

27. *Condemns* the intentional denial of humanitarian assistance to civilians, from whatever quarter, and in particular the denial of medical assistance and the withdrawal of water and sanitation services to civilian areas, which has recently worsened, noting especially the primary responsibility of the Government of the Syrian Arab Republic in this regard, and deplores the deteriorating humanitarian situation;

28. *Further strongly condemns* all acts of violence directed against humanitarian actors, and demands that the Syrian authorities promptly allow, and all other parties to the conflict do not obstruct, rapid, safe and unhindered humanitarian access for United Nations humanitarian agencies and their implementing partners, including across conflict lines and across borders, in order to ensure that humanitarian assistance reaches people in need through the most direct routes;

29. *Expresses deep concern* at the growing number of refugees and internally displaced persons fleeing the violence, and welcomes the efforts by neighbouring countries to host Syrian refugees while acknowledging the socioeconomic consequences of the presence of large-scale refugee populations in those countries;

30. *Urges* the international community, including all donors, to provide urgent financial support to enable the host countries to respond to the growing humanitarian needs of Syrian refugees, while emphasizing the principle of burden-sharing;

31. *Calls upon* all members of the international community to respond expeditiously to the Syrian humanitarian appeal and to fulfil previous pledges;

32. *Decides* to remain seized of the matter.

39th meeting
27 June 2014

[Adopted by a recorded vote of 32 to 5, with 9 abstentions. The voting was as follows:

In favour:

Argentina, Austria, Benin, Botswana, Brazil, Burkina Faso, Chile, Costa Rica, Côte d'Ivoire, Czech Republic, Estonia, France, Gabon, Germany, Indonesia, Ireland, Italy, Japan, Kuwait, Maldives, Mexico, Montenegro, Morocco, Peru, Republic of Korea, Romania, Saudi Arabia, Sierra Leone, the former Yugoslav Republic of Macedonia, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America

Against:

Algeria, China, Cuba, Russian Federation, Venezuela (Bolivarian Republic of)

Abstaining:

Congo, Ethiopia, India, Kazakhstan, Namibia, Pakistan, Philippines, South Africa, Viet Nam